

Kentucky State Advisory Council for Exceptional Children (SACEC)
Annual Report
Fiscal Year July 1, 2020 – June 30, 2021

OVERVIEW OF COUNCIL

Purpose: A State Advisory Panel for Exceptional Children (SAPEC) is mandated by the Individuals with Disabilities Education Act Amendments of 2004 for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in Kentucky.

In 2018, the Governor of Kentucky issued an Executive Order relating to the reorganization of the panel, as well as other education boards and councils. This Executive Order reorganized and renamed the State Advisory Panel for Exceptional Children to the State Advisory Council for Exceptional Children (SACEC) to include 21 voting members with a quorum of appointees being individuals with disabilities or parents of children with disabilities.

The duties of the group are to:

1. Advise the General Assembly, Department of Education, Board of Education, Education Professional Standards Board, and School Curriculum and Accountability Council of unmet needs and desired program changes related to the education of children with disabilities, including proposed corrective action plans and personnel development needs;
2. Review and comment on rules or regulations proposed by the Commonwealth relating to the education of children with disabilities and the procedures for distribution of funds under Part B of Public Law 101-476;
3. Review and comment on written findings of fact and decisions from due process hearings, including other reports issued by federal and state authorities relating to exceptional children;
4. Advise the General Assembly, Department of Education, Justice and Safety Cabinet; and other public agencies on eligible students with disabilities in state and local prisons;
5. Provide opportunities for public input through regularly scheduled public hearings or during general meetings.

The group advises the Department of Education. Upon request, the Commissioner of Education must designate or appoint an executive secretary to act as ombudsman for the members.

Membership: Membership consists of up to twenty-one (21) voting members appointed by the Governor, the majority of whom must be persons with disabilities or parents of children with disabilities ages birth through 26. The Governor must appoint members that meet the following minimum qualifications:

- Two individuals with disabilities or exceptional needs;
- One parent of an exceptional child ages birth through 12 years;
- One parent of an exceptional child ages 13 through 26 years;
- One elementary special education teacher;
- One middle or secondary special education teacher;
- One higher education member who trains and prepares special education teachers;

- One private sector administrator of programs for exceptional children;
- One local education administrator of programs for exceptional children, who must also be experienced with the McKinney-Vento Act;
- One child welfare agency member responsible for foster care;
- At least one representative of state juvenile or adult correction agencies involved in the delivery of services to disabled children;
- One state education official who carries out activities associated with the McKinney-Vento Homeless Assistance Act;
- At least one state agency member involved in the financing or delivery of services to children with disabilities;
- One member of vocational, community or business organizations concerned with the provision of services to disabled children;
- At least one representative of private schools or public charter schools; and
- Up to six additional members meeting the requirements of the Individuals with Disabilities Act (IDEA) as articulated in 20 USC 1412.

By virtue of the authority vested by Public Law 94-142 and Executive Order 2017-364, and Executive Order 2017-625, Matthew G. Bevin, Governor of the Commonwealth of Kentucky, appointed the following as members of the State Advisory Council for Exceptional Children:

Anita Carol Dowd, Lawrenceburg, representing individuals with disabilities or exceptional needs. Ms. Dowd served for a term expiring June 30, 2019;

Julie Ann Rubemeyer, Erlanger, representing parents of an exceptional child ages birth through 12 years. Ms. Rubemeyer served for a term expiring June 30, 2019;

William Hadaway Greer, Bowling Green, representing parents of an exceptional child ages 13 through 26 years. Mr. Greer served for a term expiring June 30, 2019;

Anna Katherine Light, Somerset, representing elementary special education teachers. Ms. Light served for a term expiring June 30, 2019;

Jessica Duenas, Louisville, representing middle or secondary special education teachers. Ms. Duenas served for a term expiring June 30, 2019;

Eric Wesley Umstead, Murray, representing higher education members that prepare special education teachers. Dr. Umstead served for a term expiring June 30, 2019;

Libby Ellen Suttles, Danville, representing private sector providers of programs for exceptional children. Ms. Suttles served for a term expiring June 30, 2019;

Amber Nicole Barnes, Mt. Eden, representing individuals with disabilities or exceptional needs. Ms. Barnes served for a term expiring June 30, 2020;

Melissa Spalding Knight, Lebanon, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Knight served for a term expiring June 30, 2020;

Amy Sue Folker, Frankfort, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Folker served for a term expiring June 30, 2020;

Leisa Carol Hutchison, Bowling Green, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Hutchison served for a term expiring June 30, 2020;

Tricia Shawn Gibbons, Louisville, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Gibbons served for a term expiring June 30, 2020;

Danny Kay Hughes, Monticello, representing members meeting requirements of the Individuals with Disabilities Act. Mr. Hughes served for a term expiring June 30, 2020;

Brandi Hitzelberger, Louisville, representing members meeting requirements of the Individuals with Disabilities Act. Ms. Hitzelberger served for a term expiring June 30, 2020;

Kimberly Ann Chevalier, Union, representing public school administrators of programs for exceptional children. Ms. Chevalier served for a term expiring June 30, 2021;

Christopher Johnson, Midway, representing child welfare agency members responsible for foster care. Mr. Johnson served for a term expiring June 30, 2021;

Raymond Debolt, Lexington, representing members affiliated with juvenile correction or transitional services. Mr. Debolt served for a term expiring June 30, 2021;

Joseph Lee Hamilton Jr., Louisville, representing members experienced with the McKinney-Vento Homeless Assistance Act. Mr. Hamilton served for a term expiring June 30, 2021;

Margretta Gayle Hylton, Cannel City, representing state agency members involved with the financing or delivery of services to children with disabilities. Ms. Hylton served for a term expiring June 30, 2021;

Barry Dale Lee, Yosemite, representing members of vocational, community or business organizations concerned with the provision of services to disabled children. Mr. Lee served for a term expiring June 30, 2021;

Brent Douglas Hutchinson, Emmalena, representing members of a private schools or public charter schools. Mr. Hutchinson served for a term expiring June 30, 2021; and

Ravonne Lee Sims, Prospect, representing members involved with adult corrections. Ms. Sims served for a term expiring June 30, 2021.

Meeting for Fiscal Year 2020-2021:

- August 20, 2020
- Microsoft Teams Meeting

Meeting:

During the 2020-2021 fiscal year, due to COVID-19 and a lack of appointments to meet a quorum, the SACEC only met once.

On August 20, 2020, the Council met virtually through Microsoft Teams.

The meeting provided an open forum to allow multiple stakeholder groups the opportunity to interact with the council and to attend the public forum. The SACEC meeting was advertised and open to the public. Administrative support for the council (reservations, copies, technology, etc.) was provided by staff with the Office of Special Education and Early Learning, Kentucky Department of Education.

Gretta Hylton, Associate Commissioner, Office of Special Education and Early Learning, Kentucky Department of Education provided updates on current activities for children and youth with disabilities in the Commonwealth.

A Public Forum was held during the SACEC meeting to allow public input from parents and families of children with disabilities, professionals, education leaders and other interested citizens regarding any issues in the education of children and youth with education disabilities. Speakers included parents and professionals.

The meeting focused on reopening guidance and contingency planning in Kentucky schools with the following Agenda Items, Presenters and summary of discussion:

- Agenda Item: Welcome (Roll Call of Members)
Presenter: Melissa Knight, board chair
- Agenda Item: Review Minutes from Last Meeting
Presenter: Melissa Knight, board chair
- Agenda Item: KDE Update
Presenter: Jason Glass, incoming commissioner of education
Summary of Discussion: Welcome and info from new commissioner.
- Agenda Item: Kentucky Department of Education (KDE) Communications Update
Presenter: Toni Konz Tatman, KDE interim director of communications
Summary of Discussion:
Virtual Town Hall for Local School Board Members reviewed Healthy at School guidance.

Coverings for Kids program launched by First Lady Brittainy Beshear to help districts with PPE- almost 90 districts participating.

Info for KDE COVID-19 webpage. A reopening tab has recently been added with guidance links. FAQs for Kentucky schools and districts - more than 811 questions answered since March.

The Student Advisory Team is meeting and is doing great work. Videos are being made about Mask Up KY. Next meeting is September 15.

- Agenda Item: KDE Update and Reopening Guidance
Presenter: Gretta Hylton, KDE associate commissioner, Office of Special Education and Early Learning
Summary of Discussion: Guiding Questions: Is the reopening guidance and support meeting needs? Have you noticed a gap in the guidance or additional resources that will be needed? Teachers fear of progress monitoring and data. Easing anxiety of teachers. Learning pods and helping students with high learning needs.
Follow-up Required: Gretta requested any input to help fill gaps. Talked about mental health and support and possibility of learning pods.
- Agenda Item: Considerations for Reopening Schools: Exceptional Learners and Preschool Students
Presenters: Veronica Sullivan, division director, KDE Division of IDEA Implementation and Preschool
Amanda Waldroup, assistant division director, KDE Division of IDEA Implementation and Preschool
Summary of Discussion: Guidance for reopening safely. Guidance also given for exceptional needs students and guidance on transportation included. School health policies also included. Next steps to support schools (a web series is being developed).
Question: Based on the identified challenges, what are the most urgent topics that we need to address (and in what order)? What are the target audiences and timing of delivery of the support?
Leisa Hutchinson: Is there guidance on compensatory education? This topic is covered in the reopening guidance and this is related to the next presentation.
- Agenda Item: Considerations for Reopening Schools and Contingency Planning
Presenter: Sylvia Starkey, division director, KDE Office of Special Education and Early Learning
Summary of Discussion: What challenges have school districts experienced with contingency planning? What additional guidance is needed to assist school districts with contingency planning? What is the preferred method of delivery for this type of support.? Is a contingency plan adding confusion?
FAPE: How do we provide this during a pandemic? Document what can't be provided. ESY is different than compensatory education. ESY is about regression without ability to recoup. Will be determined case by case and ARC decision.
Contingency Planning: Can be in place for when things change suddenly, as in March 2020. However, schools should not start the year on a contingency plan. Districts have had planning opportunities and so contingency plans are not needed immediately.

- Agenda Item: Due Process Update
Presenter: Sylvia Starkey
Summary of Discussion: Hearing updates on the last 7 cases listed on the website below.
https://education.ky.gov/specialed/excep/Pages/Dispute_Resolution_Process.aspx
- Agenda Item: Cooperative Update
Presenter: Dionne Bates, director, implementation and improvement lead,
Kentucky Valley Educational Cooperative
- Open Forum
Welcome statement read by Melissa Knight
Introduction of council
Appreciation of council from Leisa Hutchinson.
Comments from Brandi Hitzelberger on attitudes and dispositions of parents about local districts.
Closing comments